

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court
Southern District of Texas
FILED

APR - 6 2016

David J. Bradley, Clerk

United States of America

v.

Gerardo Solis

USC

YOB: 1985

Case No. *M-16-0611-M**Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 10, 2016 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:*Code Section*

Title 21, USC, 841(a)(1)

Offense Description

Possession with intent to distribute approximately 6 kilograms of cocaine

This criminal complaint is based on these facts:

See attachment "A"

☒ Continued on the attached sheet.

Approved:

Robert Wills L. AUSA
4-6-2016

Complainant's signature

David Vallario, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date:

April 6, 2016 10:41 am

Judge's signature

City and state:

McAllen, Texas

Peter E. Ormsby, U.S. Magistrate Judge

Printed name and title

Attachment "A"

In early 2016, Edinburg Police investigators received information that narcotics were being smuggled onboard buses that were departing from a Stripes convenience store located in Edinburg, Texas. On March 10, 2016 at approximately 8:30 pm, Investigator E. Martinez #41 with the Edinburg Police department proceeded to the Stripes convenience store located at 1606 East Schunior Street, Edinburg, Texas to conduct surveillance to interdict any illegal drug activity on the buses that arrived at the location.

While waiting for the bus to arrive, Inv. Martinez observed a black four door passenger vehicle that was stationary at gas pump 10 facing south. A passenger bus then arrived at the Stripes convenience store and parked on the east side of the parking lot. The bus driver disembarked the bus and began to open all of the cargo bay doors on the bus. A male subject wearing a tan jacket and blue jeans exited the black vehicle at pump 10. He was carrying a duffle bag and a black suitcase in his hands as he quickly walked over to the bus. The male made contact with the bus driver and he began to place his bags into the cargo bin. He was specifically observed placing his black suitcase on top of a brown cardboard box in the last cargo bin away from other luggage. The male then entered the bus and then the bus driver closed all of the cargo doors.

Inv. Martinez exited his vehicle and approached the bus driver and identified himself as an Edinburg Police Officer. Inv. Martinez informed the bus driver as to the reason for his presence at the location and the bus driver gave his consent to conduct whatever business was needed to be done. He then entered the bus and asked several passengers, including the male who exited the black vehicle, to step off the bus and make contact with police officers that were waiting outside to which they complied.

Inv. Martinez and Edinburg Police Investigator Tapia introduced themselves and began a conversation with the passenger who came from the black vehicle. The male was asked his name and he identified himself as GERARDO SOLIS. SOLIS stated that his destination was Houston, Texas. He was asked by Inv. Martinez if he had any other luggage with him besides the duffle bag he had with him while he was being interviewed to which he stated no. It was

explained to him that Inv. Martinez had observed him exit a black vehicle carrying the duffle bag and a suitcase and place the suitcase on top of a cardboard box in the cargo area of the bus before entering the bus. SOLIS again said the suitcase did not belong to him. SOLIS was asked who it belonged to, which he first stated that it belonged to his sister, then he said it belonged to a friend. Inv. Martinez then removed the suitcase from the cargo area and placed it in front of SOLIS. He was asked again if the suitcase belonged to him to which he finally stated yes. He was asked as to what were the contents of the suitcase, to which he stated, "sir my vice sir my vice." SOLIS was asked about the meaning of the previous statement where he said in Spanish "sir mi vicio" (my addiction). He was asked what his addiction was and he stated cocaine. Inv. Martinez asked if there was cocaine in the suitcase and SOLIS stated, "yes." Inv. Martinez inquired as to how much cocaine was in the suitcase and SOLIS stated that they never tell him. The investigator asked SOLIS if he could search the suitcase where SOLIS stated no because he did not want to be embarrassed in front of the rest of passengers. Inv. Martinez then asked SOLIS if they walked away from the bus and moved over to one of the police vehicles, would it then be ok for investigators to search the suitcase to which SOLIS said yes. Just before opening the suitcase, SOLIS was asked what investigators would find inside. SOLIS stated that they were going to find "cuadros."

Investigators observed that on the suitcase there was a white typed tag with the name "Jerry Solis" and valley transit pool baggage check (FF627006). Inside the suitcase there were several pieces of clothing covering a black duffle bag. SOLIS was asked if investigators could search the duffle bag to which he stated yes. Inside the duffle bag, investigators located five square bundles wrapped in clear plastic. SOLIS was asked if the bundles were cocaine, to which he stated yes.

Investigators then cut open the bundles and found the contents to be a white powdery substance. The white substance was field tested and the field test revealed the contents to be cocaine. The approximate weight of the cocaine is 6 kilograms.